



## HOUSE OF REPRESENTATIVES

### COMMITTEE ON JUDICIARY

REP. GRAHAM FILLER

CHAIR

## COMMITTEE MEETING MINUTES

Tuesday, February 25, 2020

9:00 AM

Room 519, House Office Building

The House Standing Committee on Judiciary was called to order by Chair Filler.

The Chair requested attendance be called:

Present: Reps. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey, Bolden.

Absent/Excused: None.

Representative Howell moved to adopt the meeting minutes from February 11, 2020. There being no objection, the motion prevailed by unanimous consent.

Representative Howell moved to adopt the meeting minutes from February 18, 2020. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 5137, HB 5138 and HB 5299 before the committee:

HB 5137 (Rep. Alexander) A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7401 (MCL 333.7401), as amended by 2016 PA 548.

HB 5138 (Rep. Tate) A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13m of chapter XVII (MCL 777.13m), as amended by 2016 PA 549.

HB 5299

(Rep. LaGrand) A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1 of chapter XI (MCL 771.1), as amended by 2006 PA 631.

Representative Alexander, Representative Tate, and Representative LaGrand testified in support of HB 5137, HB 5138 and HB 5299. Questions and discussion followed.

Bill Vaillencourt, Livingston County Prosecutor, representing Prosecuting Attorneys of Michigan, testified in support of HB 5137 and HB 5138. Questions and discussion followed.

The following people submitted a card in support of HB 5137 and HB 5138, but did not wish to speak:

Sergeant Nicole McGhee, representing the Michigan State Police.

The following people submitted a card with a support of HB 5137, HB 5138 and HB 5299, but did not wish to speak:

Kimberly Buddin, representing the ACLU of Michigan.

The Chair laid HB 4587 before the committee:

HB 4587

(Rep. Sheppard) A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 5741 and 5750 (MCL 600.5741 and 600.5750).

Representative Sheppard and I. Matthew Miller, representing the Property Management Association of Michigan, testified together in support of HB 4587. Questions and discussion followed.

The following people submitted a card in support of HB 4587, but did not wish to speak:

Pamela Lovell, representing the AMP Residential.

Duy Vu, representing the Land and Company.

Alice Ehn, representing the Washtenaw Area Apartment Association.

Karlene Lehman, representing the Princeton Management.

Tavia Blocker and Kristin Hasso, representing the Somerset Park Apartments.

Robert Carson, representing the Continental Management.

Joyce Brighton, representing the KMG Prestige.

Megan Orser, representing the Smart Apartment Solutions.

Heather Collin, representing the Property Management Association of Mid-Michigan.

Forrest Wall, representing the Apartment Association of Michigan.

Clay Powell, representing the Rental Property Owners Association.

The following people submitted a card in opposition to HB 4587, but did not wish to speak:

Jim Schaafsma, representing the Michigan Poverty Law Program.

The Chair laid HB 4454 before the committee:

HB 4454 (Rep. Johnson) A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8905a (MCL 324.8905a), as amended by 2014 PA 549.

Representative Cynthia Johnson testified in support of HB 4454.

The following people submitted a card in support of HB 4454, but did not wish to speak:

Tom Frazier, representing the Michigan Townships Association.

The Chair laid HB 5417, HB 5418 and HB 5419 before the committee:

HB 5417 (Rep. Warren) A bill to amend 1996 PA 193, entitled "Michigan do-not-resuscitate procedure act," by amending sections 2, 3a, 4, 8, 9, 10, and 11 (MCL 333.1052, 333.1053a, 333.1054, 333.1058, 333.1059, 333.1060, and 333.1061), sections 2 and 11 as amended by 2017 PA 157 and section 3a as added and sections 4, 8, 9, and 10 as amended by 2013 PA 155, and by adding section 3b.

HB 5418 (Rep. Warren) A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding sections 1180 and 1181.

HB 5419 (Rep. Rendon) A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 5215 (MCL 700.5215), as amended by 2000 PA 469.

Representative Rendon, Representative Warren, Dawn Krause, representing Willy Picket and Washtenaw ISD, and Dr. Scott Menzel, representing the Washtenaw ISD, testified together in support of HB 5417, HB 5418 and HB 5419. Questions and discussion followed.

The following people submitted a card in support of HB 5417, HB 5418 and HB 5419, but did not wish to speak:

Matt Kurta, representing the ESA Legislative Group.

Rebecca Mastee, representing the Michigan Catholic Conference.

Lyn Beekman, representing himself.

The following people submitted a card in support of HB 5418, but did not wish to speak:

Jeff Cobb, representing the Michigan Association of School Boards.

The Chair laid HB 4332 before the committee:

HB 4332 (Rep. LaFave) A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40102, 40103, and 40114 (MCL 324.40102, 324.40103, and 324.40114), section 40102 as amended by 2015 PA 24, section 40103 as amended by 2016 PA 382, and section 40114 as amended by 2018 PA 390, and by adding section 40111d.

Representative LaFave and Chris Turek, representing himself, testified in support of HB 4332. Questions and discussion followed.

Craig Burnet and Lt. Tom Wanless, both representing the Michigan Department of Natural Resources, testified in opposition to HB 4332. Questions and discussion followed.

The following people submitted a card with a neutral position on HB 4332, but did not wish to speak:

Amy Trotter, representing the Michigan United Conservation Club.

The following people submitted a card in opposition to HB 4332, but did not wish to speak:

Mike Leonard, representing the Safari Club International.

Dale Hendershot, representing the Michigan Trappers and Predator Callers.

The Chair laid HR 151 before the committee:

HR 151 (Rep. Yaroch) A resolution to urge the Congress of the United States to clarify its position on the legality of marijuana under the Controlled Substances Act of 1970.

Discussion among members followed.

The Chair laid HB 5336 before the committee:

HB 5336 (Rep. Iden) A bill to amend 2018 PA 16, entitled "Uniform commercial real estate receivership act," by amending the title and sections 1, 2, 3, 4, 5, 6, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 24, and 25 (MCL 554.1011, 554.1012, 554.1013, 554.1014, 554.1015, 554.1016, 554.1021, 554.1022, 554.1023, 554.1024, 554.1025, 554.1026,

554.1028, 554.1029, 554.1030, 554.1031, 554.1034, and 554.1035).

Representative LaFave moved to adopt substitute (H-2) to HB 5336. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey, Bolden.

Nays: None.

Pass: None.

Representative LaFave moved to report out HB 5336 with recommendation, as substitute (H-2). The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey, Bolden.

Nays: None.

Pass: None.

The Chair laid HB 5490 and HB 5491 before the committee:

HB 5490 (Rep. Iden) A bill to amend 2016 PA 281, entitled "Medical marihuana facilities licensing act," by amending sections 102 and 206 (MCL 333.27102 and 333.27206), section 102 as amended by 2019 PA 3 and section 206 as amended by 2018 PA 648, and by adding section 206a.

HB 5491 (Rep. Iden) A bill to amend 2018 IL 1, entitled "Michigan Regulation and Taxation of Marihuana Act," by amending sections 3 and 8 (MCL 333.27953 and 333.27958) and by adding section 9a.

Representative LaFave moved to report out HB 5490 with recommendation. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey, Bolden.

Nays: None.

Pass: None.

Representative LaFave moved to report out HB 5491 with recommendation. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey, Bolden.

Nays: None.

Pass: None.

There being no further business before the committee, Rep. Graham Filler adjourned the meeting at 10:11 AM.

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Representative Graham Filler, Chair

Melissa Sweet  
Committee Clerk  
[msweet@house.mi.gov](mailto:msweet@house.mi.gov)